

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

JAMEL MONROE

Plaintiff,

-v.-

Civil Action No.
9:06-cv-1133 (GLS/DEP)

KENNETH PERLMAN, Superintendent,
Mid-State Correctional Facility and
CHRIS BULSON, Deputy Superintendent
Administration

Defendants.

APPEARANCES:

OF COUNSEL:

FOR THE PLAINTIFF:

JAMEL MONROE
Plaintiff, *Pro Se*
c/o Derrick James
268 Beach 17th Street
Far Rockaway, New York 11691

FOR THE DEFENDANTS:

HON. ANDREW M. CUOMO
Attorney General for the State of New York
Counsel for Defendants
615 Erie Boulevard West
Suite 102
Syracuse, New

HEATHER R. RUBENSTEIN
Assistant Attorney General

GARY L. SHARPE,
U.S. DISTRICT JUDGE

ORDER

The above-captioned matter comes to this court following a Report-Recommendation by Magistrate Judge David E. Peebles, duly filed December 18, 2008. Following ten days from the service thereof, the Clerk has sent the file, including any and all objections filed by the parties herein.

No objections having been filed, and the court having reviewed the Magistrate Judge's Report-Recommendation for clear error, it is hereby

ORDERED, that the Report-Recommendation of Magistrate Judge David E. Peebles filed December 18, 2008 is ACCEPTED in its entirety for the reasons state therein, and it is further

ORDERED, that defendants' motion for summary judgment (Dkt. No. 18) dismissing plaintiff's complaint is GRANTED, and it is further

ORDERED, that the plaintiff's claims in this action is DISMISSED in their entirety, and it is further

ORDERED, that the Clerk enter judgment in favor of the defendants against the plaintiff.

IT IS SO ORDERED

Dated: January 21, 2009
Albany, New York

Gary L. Sharpe
Gary L. Sharpe
U.S. District Judge